

PATENT  
P56854

AF  
IFW

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

JUN-HYUK LEE *et al.*

Serial No.: 10/657,278

Examiner: FRAZIER, OWEN J.

Filed: 9 September 2003

Art Unit: 2687

For: METHOD AND SYSTEM FOR USING EITHER PUBLIC OR PRIVATE  
NETWORKS IN 1x EV-DO SYSTEM

**PETITION TO RESET AND RESTART PERIOD FOR REPLY**  
**DUE TO LATE RECEIPT OF A PTO ACTION**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicant respectfully petitions and request to send a supplemental Office communication to the final Office action (Paper No. 060506) dated 13 April 2006, and reset and restart period to reply to the final Office action due to the late receiving of PTO action.

Folio: P56854  
Date: 5/5/06  
I.D.: REB/fw

**STATEMENT OF FACTS**

1. On 13 April 2006, the U.S. Patent & Trademark Office prepared and ostensibly issued a final Office action (Paper No. 030506) in the above-referenced patent application;
2. On 1 May 2006, Applicant's undersigned attorney received an envelope that contained the final Office action (Paper No. 030506) dated 13 April 2006;
3. The date stamp on the envelope is dated 13 April 2006, Postage Meter No. 0004205065.

**REMARKS**

With the guidance of the Petition's Office, applicant respectfully petitions under §710.06 of the MPEP (7th Ed., red.1, Feb 2000) to restart the previously set period for reply to the outstanding Office action from the date of receipt of the PTO action at the correspondence address, namely from the 13<sup>th</sup> of April 2006, states that:

(A) this Petition is filed within two weeks of the date of receipt of the PTO action at the correspondence address;

(B) a substantial portion of the set reply period has elapsed on the date of receipt; and

(C) a copy of the first page of the final Office action showing the date stamp of receipt attached by the undersigned attorney's docketing clerk, together with a copy of our list of incoming mails, and a copy of an envelop with the stamp showing the date, constitutes evidence establishing the date of receipt.

The date of receipt of the PTO action at the correspondence address was: 13 April 2006. The evidence being presented shows the customary date stamp applied by the undersigned attorney's docketing clerk and the accompanying letter confirms the Notice to the Commissioner previously issued by applicant's attorney of non-receipt.

**RELIEF REQUESTED**

Accordingly, the Commissioner is respectfully requested to:

- A. Immediately issue a supplemental Office communication to the final Office action (Paper No. 030506) to Applicant's undersigned attorney;
- B. Reset and restart period for reply to the final Office action; and
- C. Grant such other and further relief as justice may require.

Respectfully submitted,



Robert E. Bushnell,  
Attorney for the Applicant  
Registration No.: 27,774

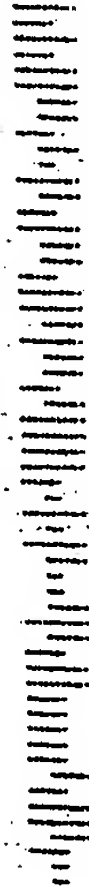
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Washington, D.C. 20005-1202  
(202) 408-9040

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Enclosure: a) Copy of the envelope dated 4/13/2006, Postage Meter No. 0004205065  
b) Lists of communications received from the U.S. PTO between 4/13/2006 and 5/1/2006

TC 2600

UNION



P.O. BOX 1450

ALEXANDRIA, VA 22313-1450

IF UNDELIVERABLE RETURN IN TEN DAYS

OFFICIAL BUSINESS

AN EQUAL OPPORTUNITY EMPLOYER





















Docket No.	Serial No.	Mailed	Due date	
P56181	09/685,138	3/30/06		Decision on Petition.
P57618	11/249,514	4/24/06	5/24/06	Restr. Req.
P56425A	10/387,442	4/25/06	7/25/06	Issue Fee.
P57966	11/407,335	<del>4/20/06</del>		SN
P57959	11/407,350			
P57531	11/207,930	4/13/06		Notice of Publication.
P57583	11/246,378	4/13/06		
P57604	11/219,820	4/13/06		
P57664	11/239,691	4/13/06		
P5734	11/203,991	4/13/06		
P57543	11/174,734	4/13/06		
P57607	11/244,110	4/13/06		
P57601	11/207,884	4/13/06		
P57625	11/221,796	4/13/06		
P57474	11/121,084	4/13/06		
P57305	11/247,946	4/13/06		
P57542	11/174,735	4/13/06		↓
	11/268,726	4/19/06		Assign
P57608	11/331,077	4/17/06		↓
P57705	11/333,224	4/17/06		
P57719	11/331,076	4/14/06		↓
	11/260,470	4/17/06		

RECEIVED
APR 25 2006
By <u>fw</u>







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